

67A.028 Legislative finding of fact -- Correctional services division permitted -- Duties of sheriff and jailer.

- (1) The General Assembly of the Commonwealth of Kentucky determines as a legislative finding of fact that the needs of large urban areas in the field of detention, institutionalization, and rehabilitation of offenders and public wards are more specialized, acute, and distinct than the needs of smaller communities, and require programs peculiarly suited to the needs of large, urban areas, and that in order to protect, enhance, and maintain the public safety, health, and general welfare, it is necessary that legislative bodies of counties containing an urban-county government, where the constitutional offices of sheriff and jailer have been consolidated, be empowered to create correctional services divisions which shall be divisions of urban-county government, and which will be vested with the duty, responsibility, and power to maintain and operate all of the correctional, detention, and rehabilitative facilities of these counties in a professional and competent manner.
- (2) A correctional services division may be established by ordinance of the legislative body of any county containing an urban-county government in which the constitutional offices of sheriff and jailer have been consolidated as provided in Section 105 of the Constitution of the Commonwealth of Kentucky. A division shall, upon its creation, have all of the duties, responsibilities, and liabilities of the sheriff and jailer as set forth and contained in the Kentucky Revised Statutes, with reference to the operation and maintenance of the county jail and all county correctional facilities. The sheriff and jailer shall, notwithstanding any other statutory provision to the contrary, have no further responsibility, duty, and liability for the performance of statutory duties on a personal basis. The sheriff shall be required to annually inspect all county correctional facilities and render a written report to the urban-county government legislative body and to the commissioner of the Department of Corrections regarding the general operation of all correctional facilities. The report shall furnish, in detail, information regarding the number of prisoners, detainees, and public wards who are inmates of each correctional facility; the offenses or causes for their incarceration; the length of stay; and further reports regarding rehabilitative programs instituted and being carried on by the division as may be required for a complete accounting and report.
- (3) The correctional services division shall, subject to the approval and authorization of the legislative body of the urban-county government, generally administer, operate, and maintain all county correctional facilities, and formulate and implement necessary correctional and rehabilitative programs. All employees of the division, including the director, shall be members of the classified civil service system established pursuant to KRS 67A.210 et seq.

Effective: January 3, 1994

History: Amended 1992 Ky. Acts ch. 211, sec. 14, effective July 14, 1992. -- Created 1990 Ky. Acts ch. 138, sec. 1, effective January 3, 1994.

Legislative Research Commission Note (7/14/92). The amendment of this section by 1992 Ky. Acts ch. 211, sec. 14, did not operate to accelerate the effective date of this section. See KRS 446.320.